

1 ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney  
2 MICHELLE LO (NYRN 4325163)  
Chief, Civil Division  
3 ELIZABETH KURLAN (CABN 255869)

## 4 | Assistant United States Attorney

5           450 Golden Gate Avenue, Box 36055  
6           San Francisco, California 94102-3495  
7           Telephone: (415) 436-7298  
            Facsimile: (415) 436-6748  
            Elizabeth.Kurlan@usdoj.gov

8 | Attorneys for Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

12 | XINWEN CUI,

Plaintiff,

14

15 ALEJANDRO MAYORKAS, Secretary of  
16 United States Department of Homeland  
Security, *et al.*,

## Defendants.

C 3:24-cv-00846 LJC

## **STIPULATION TO STAY PROCEEDINGS; ORDER**

The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until December 5, 2024. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this mandamus action seeking a decision on her Form I-589, Application for Asylum and Withholding of Removal. United States Citizenship and Immigration Services (“USCIS”) scheduled an interview for August 7, 2024. USCIS will work diligently towards completing adjudication of the I-589 application, absent the need for further adjudicative action or unforeseen circumstances that would require additional time for adjudication.

1       2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to  
2 ten days prior to the agreed upon scheduled interview. Plaintiff recognizes that failure to submit these  
3 documents seven to ten days prior to the interview may result in the interview being rescheduled at no  
4 fault of USCIS.

5       3. If needed by Plaintiff or their dependent(s), Plaintiff shall bring their own interpreter to  
6 their asylum interview. See [https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13)  
7 <provide-interpreters-starting-sept-13>. Plaintiff recognizes that failure to bring an interpreter to their  
8 interview may result in the interview being rescheduled at no fault of USCIS.

9       4. Upon receipt of the Asylum Office's decision, Plaintiff agrees to voluntarily dismiss the  
10 case.

11       5. The parties agree to bear their own litigation costs and attorney fees.

12       Accordingly, the parties stipulate and request that the proceedings in this case be stayed until  
13 December 5, 2024, at which time the parties will file a joint status report with the Court. At that time,  
14 the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if  
15 appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this  
16 case will benefit the parties and conserve the Court's resources while the parties pursue a potential  
17 administrative resolution. In accordance with Civil Local Rule 5-1(i)(3), the filer of this document  
18 attests that all signatories listed herein concur in the filing of this document.

19 Dated: April 12, 2024

Respectfully submitted,

20 ISMAIL J. RAMSEY  
United States Attorney

22 */s/ Elizabeth D. Kurlan*  
23 ELIZABETH D. KURLAN  
Assistant United States Attorney  
24 Attorneys for Defendants

1 Dated: April 12, 2024

2 /s/ Mei Zhou  
3 MEI ZHOU  
4 Attorney for Plaintiff

5 **ORDER**

6 Pursuant to stipulation, IT IS SO ORDERED.

7 Date: April 12, 2024

8   
9 LISA J. CISNEROS  
10 United States Magistrate Judge